

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 1:23-CV-270

MACKENZIE ELAINE BROWN

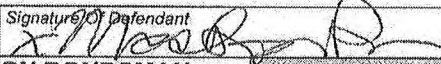
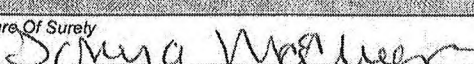
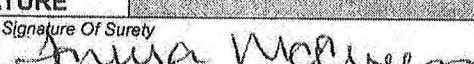

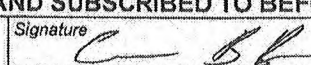
Plaintiffs,

v.

HENDERSON COUNTY
SHERIFF'S OFFICE, et al.

Defendants.

EXHIBIT 3 APPEARANCE BOND FOR PRETRIAL RELEASE

STATE OF NORTH CAROLINA		File No. 21CR053859	
<u>Henderson</u> County		In The General Court Of Justice <input checked="" type="checkbox"/> District <input type="checkbox"/> Superior Court Division	
Name And Mailing Address Of Defendant Mackenzie Elaine Brown 158 Haven Road East Flat Rock NC 28726		APPEARANCE BOND FOR PRETRIAL RELEASE	
Telephone No. Of Defendant			
Total Bond Required \$ 2,000.00	Amount Of This Bond \$ 2,000.00	# 21R01027391	G.S. 15A-531, 15A-534, 15A-544.2
Offenses And Additional File Numbers 21CR53859 WFA; M-Injury to personal property			
<input type="checkbox"/> See Attachment			
<input type="checkbox"/> Unsecured Appearance Bond - I, the undersigned defendant, acknowledge that my personal representatives and I are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side. <input type="checkbox"/> Cash Appearance Bond By Defendant (See note on reverse side.) - I, the undersigned defendant, acknowledge that I am bound to pay the State of North Carolina the sum shown above, and hereby deposit the cash identified below as security with the understanding that the deposit will be returned upon the Court's determination that the conditions of release have been performed, subject to the conditions of this Bond stated on the reverse side, and that it will be available to satisfy my obligations. <input type="checkbox"/> Defendant's Property Appearance Bond - I, the undersigned defendant, acknowledge that I am bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side, and as security for said Bond have executed a mortgage or deed of trust to real or personal property, payable to the State of North Carolina and with power of sale conditioned upon the breach of any condition of this Bond. <input checked="" type="checkbox"/> Surety Appearance Bond - We, the undersigned, jointly and severally acknowledge that we and our personal representatives are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side. Any undersigned professional bondsman, bail agent, or runner attests that the AFFIDAVIT on the reverse side is complete and true. If a cash deposit is indicated below, surety(ies) has deposited the cash to secure the obligation as surety(ies) on this bond with the understanding that the deposit will be returned to the surety(ies) upon termination of that obligation as provided by law, and that it will NOT be available to satisfy defendant's obligations. (For cash bond, see note on reverse side.)			
Date Of Execution Of Bond 10-1-2021		Signature Of Defendant 	
ACCOMMODATION BONDSMAN			
<input type="checkbox"/> See attached AOC-CR-201A for additional accommodation bondsmen executing this bond.			
Name And Address Of Accommodation Bondsman		Name And Address Of Accommodation Bondsman	
Telephone No.		Telephone No.	
PROFESSIONAL BONDSMAN			
Name Of Bondsman		Name Of Runner, If Applicable	
License No. Of Bondsman	Telephone No.	License No. Of Runner	Telephone No.
INSURANCE COMPANY			
Name Of Insurance Company Balmetto		Name Of Bail Agent Tonya McChes	
Power Of Appointment No. Of Bail Agent PSC5-1650034		License No. Of Bail Agent 19645075	Telephone No. 628527-1292
SIGNATURE			
Signature Of Surety 		Signature Of Surety 	
SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME		SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME	
Date 10/1/21	Signature 	Date 10/4/21	Signature 
<input type="checkbox"/> Magistrate <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court	<input checked="" type="checkbox"/> Custodian Of Detention Facility [G.S. 15A-537(c)]	<input type="checkbox"/> Magistrate <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court	<input checked="" type="checkbox"/> Custodian Of Detention Facility [G.S. 15A-537(c)]
COMPLETE IF CASH DEPOSITED			
Signature Of Official Accepting Cash		Name Of Official Accepting Cash (type or print)	
		Receipt No.	

NOTE: If cash deposited, see note on reverse side.

CONDITIONS

The conditions of this Bond are that the above named defendant shall appear in the above entitled action(s) whenever required. It is agreed and understood that this Bond is effective and binding upon the defendant and each surety throughout all stages of the proceedings in the trial divisions of the General Court of Justice until the entry of judgment in the district court from which no appeal is taken or until the entry of judgment in the superior court, unless terminated earlier by operation of law or order of the court. If the defendant appears as ordered until termination of the Bond, then the bond is to be void, but if the defendant fails to appear as required, the Court will forfeit the bond pursuant to Part 2 of Article 26 of Chapter 15A of the General Statutes.

Each accommodation bondsman, by signing on the reverse or on the attached AOC-CR-201A, states: "I have reached the age of 18 years and am a bona fide resident of North Carolina. Aside from love and affection and release of the above named defendant, I have received no consideration for acting as surety. I own sufficient property over and above all liabilities, homestead and other exemptions allowed me by law to enable me to pay this Bond should it be ordered forfeited. I understand that if I sign this Bond without sufficient property, I am guilty of a crime."

AFFIDAVIT

NOTE: "Professional bondsmen, surety bondsmen [bail agents], and runners shall file with the clerk of court having jurisdiction over the principal an affidavit on a form furnished by the Administrative Office of the Courts." G.S. 58-71-140(d). Check all options that apply.

- ☐ 1. I have not, nor has anyone for my use, been promised or received any collateral, security or premium for executing this Bond.
☐ 2. I have been promised a premium in the amount shown below, which is due on the date shown below.
☒ 3. I have received a premium in the amount shown below.
☐ 4. I have been given collateral security by the person named below, of the nature and in the amount shown below.

Amount Of Premium Promised \$ 200.00	Date Due 10-1-2021	Amount Of Premium Received \$ 200.00
Name Of Person From Whom Collateral Received	Nature Of Collateral Indemnity Agreement	Value

**AFFIX STAMP OR
POWER OF ATTORNEY
HERE**

RETURN OF CUSTODIAN OF DETENTION FACILITY

The defendant named on the reverse was released from my custody on the date shown below upon the execution of this Appearance Bond.

Date Defendant Released 10/1/21	Name Of Custodian (type or print) Cameron B. Burie II	Signature Of Custodian 	<input type="checkbox"/> Sheriff <input checked="" type="checkbox"/> Other Detention Officer
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NOTES ON CASH BONDS:

- (1) **To Official Taking The Bond.** Use this form for all cash bonds. Complete this form as follows:

When Cash Deposited By Defendant Or By Another Person Who Intends For The Cash To Be Used To Satisfy The Defendant's Obligations.
 Enter defendant's name, address and telephone number at the top of Side One. Check "Cash Appearance Bond By Defendant." Have defendant sign. Do no more. No other person's name should appear on this form. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to DEFENDANT, not to any other person.

When Cash Deposited By Another Person Who Does NOT Intend For The Cash To Be Used To Satisfy The Defendant's Obligations.
 Enter defendant's name, address and telephone number at the top of Side One. Check "Surety Appearance Bond." Have defendant sign. Enter name, address and telephone number of person depositing cash under "Accommodation Bondsman." Have that person sign under "Signature Of Surety." Complete notarization for that person. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to person depositing the cash.

- (2) **To Bookkeeper.** If case disposed without forfeiture, disburse cash as follows: (1) If "Cash Appearance Bond By Defendant" checked on Side One, disburse to defendant or apply to defendant's obligations if court so orders. (2) If "Surety Appearance Bond" is checked on Side One, disburse only to the person(s) named under "Accommodation Bondsman."
- (3) **Bond By Insurance Company Or Professional Bondsman As Surety Is Same As Cash Except In Child Support.** G.S. 15A-531(4) provides that an appearance bond executed by an insurance company or a professional bondsman (or a bail agent or runner on behalf of one of those sureties) is considered the same as a cash deposit, except in child support contempt proceedings for which only cash may satisfy a cash bond requirement.

POWER AMOUNT

\$5,000.00

POWER OF ATTORNEY

PALMETTO SURETY CORPORATION

PSC 5-165003

75 Port City Landing, Suite 130, Mount Pleasant, SC 29464

KNOW ALL MEN BY THESE PRESENTS that PALMETTO SURETY CORPORATION, a corporation duly authorized and existing under the laws of the State of South Carolina, does constitute and appoint the below named agent its true and lawful Attorney-In-Fact for it and in its name, place and stead, to execute, and deliver for and on its behalf, as surety, a bail bond only.

Authority of such Attorney-In-Fact is limited to appearance bonds. No authority is provided herein for the execution of surety immigration bonds or to guarantee alimony, payments, fines, wage law claims or other payments of any kind on behalf of below named defendant. The named agent is appointed only to execute the bond consistent with the terms of this power of attorney. The agent is not authorized to act as agent for receipt of service of process in any criminal or civil action.

This power is void if altered or erased or used in any combination with other powers of attorney of this company or any other company to obtain the release of the defendant named below or to satisfy any bond requirement in excess of the stated face amount of this power. This power can only be used once. The obligation of the company shall not exceed the sum of

Five Thousand Dollars (\$5,000.00)

and provided this Power Of Attorney is filed with the bond and retained as a part of the court records. The said Attorney-In-Fact is hereby authorized to insert in this Power Of Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, PALMETTO SURETY CORPORATION has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this

1st

day of

October

2021

Bond Amount \$ 2,000.00 Appearance Date 10/27/2021Defendant: Mackenzie Elaine BrownPremium \$ 200.00Court HendersonCase # 21CR53859

Case # _____

Case # _____

County Henderson City Hendersonville St. LA Zip 28792Offense WFA; M-injury to personal property

Offense _____ IVP

Executing Agent Tanya McEwen IVP

Expires March 31, 2022

PALMETTO SURETY CORPORATION



[Signature]

Chief Executive Officer

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